



## Washington State Gambling Commission

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## Illegal Gambling Activities

Gambling involves three elements: prize, chance and consideration (entry fee, wager, or anything of value). If one of these elements is removed, it is no longer a gambling activity. For example, if you pay a **fee** to play a game of **chance** (such as poker, blackjack, bingo, etc.) for a **prize**, it is a gambling activity.

Profiting from a gambling activity is illegal unless specifically authorized by law.

Conducting an illegal gambling activity may result in **criminal charges** being filed against **you, your organization** and / or its **officers**. All property or money associated with illegal gambling could be subject to forfeiture (RCW 9.46.231).

This brochure explains gambling activities that are **prohibited** by law.

### Bookmaking – RCW 9.46.0213

Bookmaking is illegal in Washington State. "Bookmaking" means taking bets or wagers on the outcome of a future event, often sporting events, when you:

- Conducting the activity as a business
- Accept a fee or "vigorish" from the bettor for a chance to place a bet

### Animal Fighting – RCW 16.52.117

Professional gambling is illegal and is usually involved with animal fights.

State law prohibits anyone from training animals to fight, fighting animals, or being present at fights, whether or not professional gambling is taking place.

### Internet Gambling – RCW 9.46.240

Internet gambling is illegal in Washington State and in the United States. See "Illegal Internet Gambling" brochure for details.

### Gambling Devices - RCW 9.46.0241

The following gambling devices are illegal:

- Slot machines
- Video poker
- Video pull tabs
- Other electronic games for chance

However, antique slot machines are ok to have if it is:

- At least 25 years old (antique)
- Not operated for gambling purposes
- Played at no cost

### Card and Dice Games – RCW 9.46.0351

- No one, except a licensed card room, may collect a fee or percentage of wagers from card games.
- Charitable or nonprofit organizations with a *Restaurant – Spirits, Beer & Wine* liquor license may let their **members** play unlicensed card games (Poker, Hearts, Pinochle, Cribbage, Rummy, Panguingue, Pitch, Bridge, Bid Whist) and social dice games if:
  - Only members of the club play. You need to get a gambling license to let nonmembers play.
  - You do not charge or collect anything from players or collect a percentage of the wagers.
  - All players play on an equal basis (no house-banked games).
  - All winnings are returned to players.
- Check with your local law enforcement agency for any local ordinances which may prohibit card games.
- Patrons **must never** be allowed to roll dice for money.

### Raffles

- Commercial businesses and private individuals cannot conduct raffles.
- Only charitable or nonprofit organizations may conduct raffles. See "Raffle" brochure for details.

Following is a brief outline of criminal laws and penalties for engaging in illegal gambling activities.

### **Professional Gambling – RCW 9.46.0269**

If you have a substantial interest in or other control over any premises, you will be held responsible and could be charged with professional gambling if you knowingly allow unauthorized gambling activity on your premises.

You are engaged in "professional gambling" if, acting other than as a **player**, you knowingly:

- Engage in conduct which materially aids any form of gambling activity;
- Pay a fee to participate in a card game, contest of chance, lottery, or other gambling activity;
- Accept or receive money or other property from participation in a gambling activity.

Conduct may include activity directed toward the:

- Creation or establishment of the particular game, contest, scheme, device;
- Acquisition or maintenance of premises, paraphernalia, equipment or apparatus therefore;
- Solicitation or inducement of persons to participate therein;
- Actual conduct of the playing phases;
- Arrangement of any of its financial or recording phases or any other phase of its operation.

### **Player - RCW 9.46.0265**

"Player," as used in gambling laws, means:

- A natural person who engages, on equal terms with the other participants, solely as a contestant or bettor;
- No person will profit from the activity **other than personal gambling winnings**; and
- Not offering material assistance to the establishment, conduct or operation of the social game merely by performing, without fee or remuneration, acts directed toward the arrangement or facilitation of the game, such as inviting persons to play, permitting the use of premises for the game, or supplying cards or other equipment to be used in the games.

A person who engages in "bookmaking" is not a "player."

To inquire about the availability of this document in an alternate format, please call 360.486.3466 or 800.345.2529, ext. 3466. Teletype (TTY) users please call 360.486.3637

## **Criminal Penalties**

**Professional gambling in the first degree** is a Class B Felony with a maximum penalty of ten years in prison, or a \$20,000 fine, or both (RCW 9.46.220). You are engaged in professional gambling in the first degree if you:

- Act in concert or conspire with five or more people;
- Accept wagers exceeding \$5,000 during any calendar month; or
- Operate, manage, or profit from the operation of a premises or location where persons are charged a fee to participate in card games, lotteries or other gambling activities not authorized or licensed by us.

**Professional gambling in the second degree** is a Class C Felony with a maximum penalty of five years in prison or a \$10,000 fine, or both (RCW 9.46.221). You are engaged in professional gambling in the second degree if you:

- Act in concert or conspires with less than five people;
- Accept wagers exceeding \$2,000 during any calendar month; or
- Maintain a gambling premises or gambling records as defined in RCW 9.46.020.

**Professional gambling in the third degree** is a gross misdemeanor with a maximum penalty of one year in prison, or a \$5,000 fine, or both (RCW 9.46.222). You are engaged in professional gambling in the third degree if:

- The activity does not constitute first or second degree;
- You operate unlicensed activities in an illegal way; or
- Directly participating in, but not managing or directing any gambling activity.

For more information  
visit our website at [www.wsgc.wa.gov](http://www.wsgc.wa.gov)

We encourage voluntary compliance.  
For questions, please call or e-mail our  
Regional Field Office closest to you.

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**If you or someone you know  
have a gambling problem call  
800.547.6133**